

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RYANAIR DAC,

Plaintiff,

v.

BOOKING HOLDINGS INC.,
BOOKING.COM B.V., KAYAK SOFTWARE
CORPORATION, PRICELINE.COM LLC,
and AGODA COMPANY PTE. LTD,

Defendants.

C.A. No. 20-01191-WCB

PUBLIC REDACTED VERSION

**DECLARATION OF MATTEO BRUNI IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

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Dated: December 20, 2023

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DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

I, Matteo Bruni, pursuant to 28 U.S.C. § 1746 hereby declare as follows:

1. I am over eighteen (18) years of age, of sound mind, and otherwise competent to make this Declaration. I am currently Senior Director, Engineering at KAYAK Software Corporation ("KAYAK"). I have served in this role since June 2023. Prior to that time I was Director, Engineering, and I had that role since 2019. I have been employed by KAYAK in an engineering role since 2015. As a result, I have personal knowledge of the statements set forth in this declaration or I have learned the information provided herein from KAYAK data sources and knowledgeable KAYAK employees. I sat for a deposition in the above-captioned matter on August 11, 2023 as KAYAK's corporate representative under Rule 30(b)(6). If called as a witness, I could and would testify competently to the matters set forth herein.

2. KAYAK is a metasearch engine based in the United States. KAYAK provides an online price comparison service that allows consumers to search for and compare travel itineraries.

3. KAYAK does not sell flights. Instead, KAYAK has agreements with online travel agencies (“OTAs”), technology partners, and airlines which provide fares and schedules content that KAYAK displays on its website. This allows KAYAK’s users to compare flight options from different sources and select the best one for their needs.

4. When a user inputs search parameters—such as dates, departing city, and destination—

[REDACTED]

[REDACTED] The user has the option of clicking on any of the available flights that are displayed.

5. In the vast majority of cases, when a user clicks on a particular flight itinerary after a search, the user is redirected off of KAYAK’s website entirely and to a third-party website—either an OTA or an airline, depending on which link the user clicked—to complete the booking. Where relevant to a user’s search parameters, KAYAK’s search results may include direct links to the Ryanair.com website.

6. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

7. In a small number of cases, a KAYAK user may complete a booking with an OTA while still remaining on a KAYAK-branded website. KAYAK refers to this as “facilitated booking” or “Book on KAYAK” [REDACTED]. The option to “Book on KAYAK” is displayed in KAYAK’s search results alongside the options to click out to book on a third party website.

8. Numerous KAYAK partners have flights available from Ryanair. As described above, when a user performs a search on KAYAK, KAYAK may display Ryanair flights if they match the search parameters. Certain OTA partners also have Ryanair flights available through facilitated booking.

9. KAYAK does not itself obtain the Ryanair fares and schedules that are displayed on KAYAK, nor does it book flights for customers, even when the flights are offered through facilitated booking. KAYAK is not told how any of its OTAs or technology partners—whether in the facilitated booking or click-out context—source their flight inventory or book flights. KAYAK does not direct or participate at all in the way partners obtain Ryanair fares and schedules or book Ryanair flights. KAYAK does not tell its partners to access the Ryanair website or to make myRyanair accounts.

10. Instead, KAYAK merely displays content that third parties send in response to user queries. [REDACTED]

11. KAYAK does not direct or participate in any way in the provision of traveler information to Ryanair, and KAYAK itself does not provide information (such as names or email addresses) about its customers to Ryanair. [REDACTED]

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 18, 2023.

Matteo Bruni
Matteo Bruni

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2023, a true and correct copy of the foregoing document was caused to be served on the following counsel of record in the manner indicated.

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/s/ Jeffrey L. Moyer

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